TAKING UP PUBLIC PAVEMENT.

A few days ago Mr. J. Newson, builder, Grosvenor-mews, was summoned before Mr. Hardwick, Marlborough-street, by Mr. Richman, surveyor of St. George, Hanover-square, for having broken up the pavement in Curzon-street, without license from the paving board, whereby he had incurred penalties to an enormous amount.

Mr. Richman said the defendant had obtained a license to make eight holes, for the purpose of erecting a board before the house of Colonel Merrick, in Curzon-street, where some alterations were being made. In addition to this, the defendant had constructed some cellarage, and had taken up the pavement to the extent of about 500 feet, without having first obtained a permission from the paving board. By this proceeding the defendant had subjected himself, under the 53rd clause of Michael Angelo Taylor's Act, to a penalty of 5*l.*, or not exceeding 10*l.* per foot. The board of commissioners had, however, determined not to press for a heavy penalty, and, though the sum of 60*l.* was named, they would think the justice of the case met by a fine of 5*l.* or 10*l.*

The defendant said he had violated the Act quite unintentionally. He had been urged to use expedition in constructing the cellarage, and he had quite forgotten to obtain the requisite licence. He had since obtained it, and paid all that was required.

The architect, who was present, said he was accountable for the breaking up of the pavement, as it was owing to the pressing directions he gave to the defendant to hasten the alterations that the pavement had been broken up. He thought, however, that the surveyor had mistaken the penalty imposed by law for this offence. He believed the clause empowering a fine of 5*l.* or not exceeding 10*l.* per foot, only applied to cases of wilful damage. To other cases the law affixed a penalty of 5*l.* or not exceeding 10*l.* If the defendant's case came under the 53rd clause, he would have incurred fines to the amount of between 5,000*l.* and 10,000*l.*

The surveyor said the law evidently intended to apply the 53rd clause to such cases as the present one. Builders would cheerfully pay a 5*l.* or 10*l.* penalty for breaking up the pavement when they could by that means construct an area or a cellar.

Mr. Hardwick was of opinion that the case had been fully sustained, but as the paving board had suggested a penalty of 5*l.* he would make that the amount of the fine.

The money was immediately paid.

RIGHT TO ERECT LADDERS AND HOARDS.

An action was tried in the Court of Exchequer, on the 29th ult., brought by Mr. Davey, a bricklayer, against the surveyor of pavements for St. Anne's, Westminster, to recover compensation for the alleged illegal removal of a ladder and other articles; to which the defendant pleaded, as a justification, that the ladder, &c., were encumbering the footway of Newport-court, in his jurisdiction; to which the plaintiff replied, that he had the license of the defendant for his acts. At the trial before the Chief Baron a verdict passed for the defendant, his lordship being of opinion that the case required a license; that the license given did not justify the conduct of the plaintiff; and that the notice of action was not good, and need not have been pleaded. Afterwards the present rule was obtained to review that opinion; and now

Mr. Jervis shewed cause.—The main question was, whether a license is necessary under the local Act 57 Geo. 3, c. 27, to authorize the plaintiff in erecting a ladder against a house, and whether the license here given—namely, "to erect a ladder on the footway of No. 14, Porter-street," is complied with by the erection of a ladder in the adjoining street, in which No. 14, Porter-street, had another front.

Mr. Humfrey and Mr. Corrie, on the other hand, contended that a license was only required under the Act in question for the erection of an enclosure, for the purpose of depositing materials therein with the view to the reparation of a house. As to the objection to the notice, whether it be good or not, it could not arise, for the want of it ought to have been pleaded, and it had not been so done here.

The Court, after much discussion, made the rule absolute for judgment *non obstante veredicto*; it being the better opinion that no license was required for the acts of the plaintiff, and, further, that the want of a sufficient notice was the subject of a plea. At the same time it must be known that had the matter required a license, the terms of the license ought to be strictly followed. A license, for instance, under this Act, to "erect a hoard opposite No. 14, Porter-street," could not be construed into a liberty to put up a hoard in another street which that house might happen to front as well as Porter-street. Under the circumstances of the case, however, it was clear that no license at all was required, and the facts in the plea not affording any justification to the defendant, the verdict given for him thereon must be set aside, and judgment entered for the plaintiff notwithstanding it.

Judgment for the plaintiff accordingly.

ALLWORTH CHURCH, NEAR READING.

This interesting and almost unique specimen of our early decorated style, which has long been an object of interest to the antiquary and lover of church architecture, is now undergoing some necessary repairs; and an appeal has been made in the hope that all who delight in the reparation of our ancient edifices will be induced to lend a helping hand to restore it to somewhat of its original beauty. The structure is of flint, and a very superior piece of architecture. The south aisle, on the east and west ends, and on the south side, contains very elegant windows of three lights, adorned with geometrical tracery. The sepulchral effigies, nine in number, which occupy eight tombs in the interior are placed beneath large ornamented ogee arches, richly decorated with trefoils, crockets, roses, and quatrefoils, and form a very rare specimen of the ornamental architecture of the early part of the fourteenth century. The whole has suffered very much from the violence of the troublous times of the Revolution, and has fallen into great decay. The parish (consisting entirely of an agricultural population) have not had the means of repairing the damage inflicted on it, but they are now expending a rate upon the edifice which will render the structure safe from any further dilapidation, and have raised a considerable sum by subscription among the landowners and others interested in the parish, which will enable them to begin the work of restoration. The walls, the windows, the arches, the canopies of the tombs, all require cleaning and considerable repairs. The timbers of the roof must be relieved of their coat of plaster and restored, the whole of the interior re-pared, and the pews re-arranged, so as to shew the architecture to advantage, and to afford increased accommodation to the poorer portion of the inhabitants; and an East window to correspond with the others should be inserted in the chancel in the place of the present modern light.

Birmingham Society of Arts and School of Design.—The annual meeting of this society was held on Friday last, and was very numerously and respectably attended. Lord Calthorpe presided. The report stated, that the committee "are able, with great satisfaction, to advert to the circumstances of the past year, as affording a proof that the expectations of advantage to a large portion of the persons engaged in trade and manufactures, by the adoption of the present system under which the society is working, have been fully realised. Your committee can refer to the number of students attending the school, and the result of that attendance exhibited in the works of art selected by your committee as deserving premiums, as showing that in art alone, as connected with manufactures, considerable progress has been made, while the invariable attention, industry, and good conduct of the students are fully bearing out the anticipations of those who augured moral results might be reasonably looked for, from the enlargement of the plans and operations of the society."

FREEMASONS OF THE CHURCH.

June 10.—The Rev. G. Pocock, L.L.B., in the chair.—The minutes of the last meeting were read and confirmed. The Rev. J. H. Brookes, M.A., Senior Fellow and Bursar of Brazennose College, Oxford, was elected an honorary fellow and one of the chaplains.

Mr. W. Papineau, directed the attention of the meeting to what he considered the bad taste exhibited by the directors of the railways in using the pointed style of architecture for engine-houses. Mr. Rogers exhibited an oak stall seat, carved by himself, for the Rev. Henry Boucher, of Thornhill House, Shalbridge, Dorset. Mr. T. Leeson exhibited an encaustic tile from Tintern Abbey. Mr. George Isaacs exhibited a circular reliquary of silver, gold, enamel, and precious stones, bearing the date 1247; also an enamelled jewel of the early part of the sixteenth century, enriched with rubies, pearls, and diamonds, and bearing in the centre a conventional "pelican in her piety;" and Mr. W. H. Rogers a silver-gilt chasuble button of the fifteenth century, perforated with a group of the crucifixion, also, an ornamental monogram of Jesus, by David Hopper, 1530.

A lecture was then delivered by Mr. George Russell French, "On the Sacred Architecture Recorded in the Bible," much of the substance of which has appeared in the Builder, under his initials. The lecturer noticed the erection of altars by Noah, Abraham, Isaac, and Jacob, the setting up of the single stones of memorial, most of which had names, as the Bethel of Jacob (whence the affinity was traced to the Bethal stones of Druidical times), the Ebenezer of Samuel, the great stone of Abel, the stone Ezel, Absalom's hand, and many of these stones remained for centuries after their dedication. Some of the stones were set up as witnesses of covenants, as Jacob's Galeed, and that of Joshua at Shechem. "The twelve pillars erected by Moses, Joshua, and Elijah, were probably in the form of circles, like the temples of Stonehenge and Abury, and, like them, surrounded by the vallum or trench, as was the case with Elijah's structure on Mount Carmel. The lecturer pointed out that Solomon's Temple agreed in its plan and details with those of Egyptian temples, rather than with the architecture of Greece, and the close connection of Solomon with the Egyptians, by marriage and commerce, sufficiently accounted for the style of his temple agreeing with their mode of building. The temple which excited so much admiration in our Saviour's days was neither that built by Solomon, nor that restored as described by Ezra, but it was that recently and entirely rebuilt by Herod the Great, and the account of the vast size of "the goodly stones" of which it was composed is borne out by the magnitude of some still to be seen at Baalbec. It was, therefore, Herod's Temple whose foundations were ploughed up by Terentius Rufus, fulfilling the prophecies of Micah uttered seven centuries beforehand.

NEW ROAD TO HIGHGATE AND HAMPSTEAD.

A plan has been recently submitted to the office of "woods," for improving the means of access to Highgate and Hampstead. It is proposed to form a new road from the top of Swains-lane above the cemetery at Highgate, to the new street now forming from Farringdon-street, taking the direction of Maiden-lane, without its windings, and raising or lowering the road as occasion may require to make a regular inclined plane, in a straight line, by which the hill may be ascended by horse or foot, without the rise being perceptible. The memorial sets forth that this line would have the peculiar advantage of rising gradually from Battle-bridge nearly the whole way on a natural embankment. "To make it complete two artificial embankments will be required; one across the fields from the top of Swains-lane, nearly in direction of the present foot path to the highest part of Maiden-lane, the other from thence to the new lodge, lately built at the Maiden-lane end of the Lotnell Park-road; and to cross the Junction road that leads from the Holloway-road to Kentish-town by an arch over it."

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